

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

**ALFREND MCLEAN,**

**Plaintiff,**

**v.**

**CAROLYN W. COLVIN, Commissioner,  
Social Security Administration,**

**Defendant.**

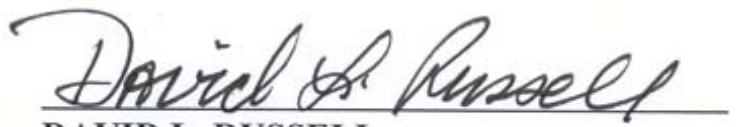
**Case No. CIV-14-1031-R**

**ORDER**

Before the Court is Plaintiff's motion for an award of attorney fees and costs pursuant to the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412. Doc. No. 30. Specifically, Plaintiff seeks an award of attorney fees in the amount of \$5,264.00. Defendant does not object to awarding Plaintiff attorney fees in the requested amount, provided such fees are payable to the Plaintiff, not counsel.

Plaintiff's motion for an award of attorney fees pursuant to the EAJA [Doc. No. 30] is GRANTED and Plaintiff is awarded his attorney fees in the amount of \$5,264.00 Should Plaintiff's counsel ultimately receive attorney fees pursuant to 42 U.S.C. § 406(b), he shall refund the smaller award to Plaintiff pursuant to *Weakley v. Bowen*, 803 F.2d 575, 580(10th Cir. 1986).

**IT IS SO ORDERED** this 14th day of October, 2015.

  
**DAVID L. RUSSELL**  
**UNITED STATES DISTRICT JUDGE**